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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

XINQUAN WANG and FEI LI,

Plaintiffs,

v.

MICHAEL CHERTOFF, as Secretary of
 U.S. Department of Homeland Security;
 EMILIO T. GONZALES, as Director of
 U.S. Citizenship and Immigration Services;
 ROBERT S. MUELLER, III, as Director of
 Federal Bureau of Investigation,

Defendants.

No. C 07-5247 JW

**STIPULATION TO EXTEND DATES;
 and [PROPOSED] ORDER**

Plaintiffs, appearing *pro se*, and Defendants, by and through their attorneys of record, hereby stipulate, subject to the approval of the Court, to the following:

1. The Plaintiffs filed a Form I-485 application to adjust their status to lawful permanent resident with the United States Citizenship and Immigration Services (USCIS) on or about April 5, 2005.

2. Pursuant to this Court's October 15, 2007 Order Setting Initial Case Management Conference, the parties are required to file a joint case management statement on March 3, 2008, and attend a case management conference on March 10, 2008.

3. Plaintiffs' adjustment of status applications are based on an application for permanent

1 employment certification for a second preference professional worker position.

2 4. The priority date for visa number purposes in Plaintiffs' case is the date of filing the labor
3 certification is September 22, 2005.

4 5. The State Department's Visa Bulletin for December 2007 and January 2008 indicates that
5 the visa numbers for second preference workers from China is January 1, 2003.

6 6. Since Plaintiffs' priority date is September 22, 2005, the USCIS will not be able to
7 complete Plaintiffs' applications until a visa number becomes available to them.

8 7. Accordingly, the parties hereby respectfully ask this Court to extend the dates in the Court's
9 scheduling order as follows:

10 Last day for Defendants to file an Answer February 1, 2008

11 Last day to file Joint ADR Certification May 14, 2008

12 Last day to file/serve Joint Case Management Statement: May 28, 2008

13 Case Management Conference: June 4, 2008 at 10:00 a.m.

14 Dated: December 17, 2007

Respectfully submitted,

15 SCOTT N. SCHOOLS
16 United States Attorney

17 /s/
18 ILA C. DEISS
19 Assistant United States Attorney
Attorney for Defendants

20 Dated: December 17, 2007

/s/
21 XINQUAN WANG
22 FEI LI
Pro se

23 **ORDER**

24 Pursuant to stipulation, IT IS SO ORDERED.

25
26 Date:

JAMES WARE
27 United States District Judge
28